

4. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.

5. A receiver has not been appointed in this case.

6. This case is not governed by any federal statute that requires a court order for dismissal of this case.

7. Plaintiff has not previously dismissed any federal or state-court suit based on or including the same claims as those presented in this case.

8. This dismissal is without prejudice to its refiling.

Dated: September 13, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record herein by way of:

- ☐ U.S. Mail, First Class
- ☐ Certified Mail
- ☐ Facsimile
- ☐ Federal Express
- ☐ Hand Delivery
- ☒ ECF (electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants)

on this 13th day of September, 2013, to wit:

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